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OCT 13 2015

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

STEVE CHALMERS

Defendant.

NO. 4:15CR267CDP/TCM

Motion Alleging Defect in indictment or information

Comes now defendant Steve Chalmers pro se through counsel Felicia A Jones, Assistant Federal Public Defender, and hereby requests this court enter an order dismissing Count I, from my indictment on the grounds that there is insufficient evidence to prove that the drugs were intended for distribution. Such as in 48 F.3d 58 United States v. Valerio the amount of drugs that she was charged with (14.83 grams of cocaine) was not large enough to support an inference of distributive intent. In Count I of my indictment the amount of drugs alleged are 2.15 grams of cocaine base Not individually packaged. This could be considered personal use taking into account my extensive drug abuse history. On all previous drug-related offenses I was given drug treatment in and

Out of incarceration. There was no sale of drugs No large amount of cash proceeds from drug activity at the time of arrest. Counsel and defendant has a good faith reason to believe that this Count I should have been charged as simple possession

Respectfully Submitted  
Steve Chalmers